

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: ROBERT EARL PIGUES**

**CHAPTER 13**

**DEBTOR**

**CASE NO. 20-11179 JDW**

**RESPONSE TO TRUSTEE'S MOTION TO DISMISS [DKT. # 44]**

COMES NOW, Robert Earl Pignes, by and through his attorney of record, and in response to the Trustee's Motion To Dismiss and would show as follows:

The Debtor respectfully requests that his Chapter 13 not be dismissed. Debtor was laid off due to the closing of his former employer, but he has since been working part-time. Debtor is currently seeking full time employment and is attempting to catch up the delinquency before a hearing in this matter. Debtor requests any arrearage remaining at the time of the hearing, be added back into his plan and paid over the remaining months of the plan.

WHEREFORE, PREMISES CONSIDERED, Debtor prays, upon a hearing hereon, this Court deny the Trustee's Motion To Dismiss. Debtor prays also for such other relief, general or specific, to which he may be entitled.

RESPECTFULLY SUBMITTED,

/s/ Robert H. Lomenick  
ROBERT H. LOMENICK, MSB #104186  
JONES & SCHNELLER, PLLC  
126 NORTH SPRING STREET  
POST OFFICE BOX 417  
HOLLY SPRINGS, MISSISSIPPI 38635  
(662) [252-3224](tel:252-3224)/[robert@northmsbankruptcy.com](mailto:robert@northmsbankruptcy.com)

**CERTIFICATE OF SERVICE**

I, Robert H. Lomenick, Attorney for Debtor, do hereby certify that I have this day forwarded, a true and correct copy of the above and foregoing Response To Motion To Dismiss to the Debtor, either by electronic means or by United States Mail to the following:

**Ms. Locke D. Barkley, Chapter 13 Trustee**

**[Ecf\\_lbarkley13@barkley13.com](mailto:Ecf_lbarkley13@barkley13.com)**

**U. S. Trustee**

**[USTPRegion05.AB.EDV@usdoj.gov](mailto:USTPRegion05.AB.EDV@usdoj.gov)**

This the 3<sup>rd</sup> day of November, 2023.

/s/Robert H. Lomenick

ROBERT H. LOMENICK